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REMARKS/ARGUMENTS

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In the Office Action dated October 9, 2007, claims 3-4, 7-13, and 15-16 were rejected. Claims 7 and 15 have been amended. Claim 3 has been cancelled. No new matters have been added.

I. §102 Rejection

The Office rejected Claims 3-4, 7-13, and 15-16 under 35 U.S.C. 102(b) as being anticipated by Yuen et al (US 5,488,409). Applicant respectfully traverses this rejection.

Independent claims 7 and 15 recite among other limitations: looping the data on the memory by overwriting a portion of the memory and providing a loop remnant directory to determine a changing deallocation point. Yuen, however, fails to disclose all the limitations of claims 7 and 11.

On the contrary, Yuen creates an index for recorded programs for a VCR. Specifically, the data recorded in Yuen is not <u>looped</u> on the memory. (See Yuen C59/L61-66). Yuen is directed at teaching a method for creating an index for recorded programs on VCR tapes. Yuen simply stops taping if the VCR tapes runs out of space. Yuen does not teach or suggest rewinding the tape and taping at the beginning of the index, or even taping on another previously recorded tape.

Furthermore, Yuen does not teach or suggest providing a loop remnant directory to determine a changing deallocation point. The Office seems to be mischaracterizing the remnant directory as Yuen's list of overwritten programs (See Yuen C59/L61-66). The remnant directory refers to the remnant of the oldest recording that still remains in the Available Record, which is deallocated at the <u>changing deallocation point</u> to allow a new recording over this remnant. (See Figure 5 and corresponding Spec. P14/L7-P15/L12). The novel element of a changing deallocation point allows the oldest recording overwritten by the newest recording to ensure the nonstop recording of the data. This is clearly not taught or suggested by Yuen.

Claims 4, 7-13, and 16 are allowable not only for their dependence on allowable base claims 7 and 15, but also because they recite novel limitations not disclosed by the prior art.

Request For Allowance

Claims 4, 7-13, 15 and 16 are pending in this application. The applicant requests allowance of all pending claims.

Respectfully submitted,

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December 18, 2007